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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,214	11/05/2003	James Hudson	4188-032060	7973

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WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219

EXAMINER

COLETTA, LORI L

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/702,214

Applicant(s)

HUDSON, JAMES

Examiner

Lori L. Coletta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 and 12-17 is/are allowed.
- 6) ☒ Claim(s) 1, 6, 7 and 18 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Dollar 2,762,646.

Regarding claim 1, Dollar '646 discloses a bumper assembly comprising a bumper beam (20) having a first end and a second end, a front surface and a back surface, said bumper beam extending in a longitudinal direction; and a first bumper bracket (23) and a second bumper bracket (23), each bumper bracket having a first end and a second end, wherein said first end of said first bumper bracket is affixed to said first end of said back surface of said bumper beam, a first bumper guard (21) is affixed to said front surface of said front end of said bumper beam, said first end of said second bumper bracket is affixed to said second end of said back surface of bumper beam, a second bumper guard (22) is affixed to said front surface of second end of said bumper beam, said second end of said first bumper bracket and said second end of said second bumper bracket are capable of being affixed to a front axle of the golf cart in Figure 1.

Regarding claim 7, Dollar '646 discloses the bumper assembly, wherein said bumper guards (21 and 22) are covered with an elastomeric material (24 and 25) in Figure 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dollar 2,762,646 in view of Heatherington et al. 6,179,353.

Regarding claim 6, Dollar '646 discloses the bumper assembly but does not show said front surface of said bumper beam is covered with an elastomeric material.

Heatherington '353 teaches a front surface of a bumper beam (11) is cover with an elastomeric material (13) in Figure 1.

Regarding claim 6, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the bumper assembly of Dollar '646 with front surface of a bumper beam is cover with an elastomeric material, as taught by Heatherington '353, in order to provide for optimal energy absorption over a given stroke upon a high force bumper impact, such as a vehicle crash.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anzaldua 6,579,189 in view of Dollar 2,762,646.

Regarding claim 18, Anzaldua '189 discloses a golf cart having a body, a plurality of wheels and a front axle, the improvement comprising a bumper beam (12) having a first end and a second end and a front surface and a back surface, said bumper beam extending in a width-wise direction of said golf cart.

However, Anzaldua '189 does not show a first bumper bracket and a second bumper bracket, each bumper bracket having a first end and a second end, wherein said first bumper bracket is affixed to said first end of said back surface of said bumper beam, a first bumper guard is affixed to said front surface of said front end of said bumper beam, a second bumper bracket is affixed to said second end of said back surface of said bumper beam, a second bumper guard is affixed to said front surface of said second end of said bumper beam, said second end of said first bumper bracket is affixed to said front axle of said golf cart, said second end of said second bumper bracket is affixed to said front axle of said golf cart.

Dollar '646 teaches a bumper beam (12) having a first end and a second end and a front surface and a back surface, said bumper beam extending in a width-wise direction of said golf cart; and first bumper bracket (23) and a second bumper bracket (23), each bumper bracket having a first end and a second end, wherein said first bumper bracket is affixed to said first end of said back surface of said bumper beam, a first bumper guard (21) is affixed to said front surface of said front end of said bumper beam, a second bumper bracket is affixed to said second end of said back surface of said bumper beam, a second bumper guard (22) is affixed to said front surface of said second end of said bumper beam, said second end of said first bumper bracket is affixed to said front axle of said golf cart, said second end of said second bumper bracket is affixed to said front axle of said golf cart in Figure 1.

Regarding claim 18, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the bumper of the golf cart of Anzaldua '189 with a first bumper bracket and a second bumper bracket, each bumper bracket having a first end and a second end, wherein said first bumper bracket is affixed to said first end of said back surface of

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said bumper beam, a first bumper guard is affixed to said front surface of said front end of said bumper beam, a second bumper bracket is affixed to said second end of said back surface of said bumper beam, a second bumper guard is affixed to said front surface of said second end of said bumper beam, said second end of said first bumper bracket is affixed to said front axle of said golf cart, said second end of said second bumper bracket is affixed to said front axle of said golf cart, as taught by Dollar '646, in order to attach the bumper beam to the axle of the golf cart and minimize scratching and prevent denting of the bumper beam.

Allowable Subject Matter

6. Claims 8 and 12-17 are allowed.
7. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614. The examiner can normally be reached on Monday-Friday 6:00am-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lori L. Coletta

Lori L. Coletta
Primary Examiner
Art Unit 3612

llc
February 19, 2005